

0038
**WESTERN
STATES
MINERALS
CORPORATION**



February 17, 1994

Ms. Pamela Grubaugh - Littig, Permit Coordinator
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: J. B. King ACT/015/002 - Reclamation Plan Revision

Dear Ms. Grubaugh - Littig:

FEB 18 1994

#2 Copy PHM

This submittal is in response to the State of Utah Department of Natural Resources, Division of Oil, Gas and Mining's (Division) letter dated November 9, 1993. In this letter, the Division requested additional information to assess the technical adequacy of the J. B. King Reclamation - 1993 Proposed Work proposal dated September 30, 1993.

As stated in our previous submittal, Western States Minerals Corp. (WSMC) would like to reiterate that it believes that current reclamation performed at the J. B. King Site has been accomplished in good-faith and has produced excellent results with respect to revegetation success and erosional control. In addition, WSMC believes the site has reached an equivalent erosional stability with the surrounding area.

However, the Division has required WSMC to undertake abatement action that far exceed earlier reclamation standards. In addition, the Division has suggested that WSMC modify the channel design to approximate the configuration of adjacent natural channels.

We believe that the enclosed proposal goes far beyond the abatement action required and presents an opportunity for experimental design and practice which will advance reclamation technology. We think you will agree that WSMC has presented unique and innovative approaches to enhance vegetation success, redesign the existing drainages, and minimize erosion. To the extent that this proposal presents performance standards for which variances may be required, WSMC will submit a request pursuant to R-645-302-210. Because this proposal is in the form of an abatement action, and the Division continues to hold the Phase II Bond of \$126,078.00, we assume there will be no increase in the reclamation bond for this presently proposed activity. Furthermore, these activities should not restart the bond clock.

Once the proposed sampling activity is completed and the data is analyzed, the final design can be completed. At that time, the project cost can be summarized; and the Detailed Schedule of Changes to the Permit will be submitted.

If you have any questions, please call me at your earliest convenience.

Sincerely,

E. M. (Buzz) Gerick
V.P. Operations

APPLICATION FOR PERMIT CHANGE

Title of Change:

J.B. King Mine - Reclamation Plan Revision

Permit Number: ACT /015 /002

Mine: J.B. King

Permittee:

Description, include reason for change and timing required to implement: Reconfiguration of reclaimed J.B. King Mine site to address remedial actions required by NOV #91-32-6-1; #93-25-3-1; and #93-25-5-1. Abatement will begin within 45 days of plan approval by DOGM.

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # _____ |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# _____ |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: _____ |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

☐ Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations herein.

E.M. Gerick
Signed - Name - Position - Date

Feb. 17, 1994

E.M. Gerick - V.P. Operations

Subscribed and sworn to before me this 17 day of Feb, 1994

Paula A. Roberts
Notary Public

My Commission Expires:
Attest: STATE OF
COUNTY OF

Aug. 11, 1994
Wash



OFFICIAL NOTARY SEAL
PAULA A. ROBERTS
Notary Public
STATE OF UTAH
My Comm. Exp. AUG 11, 1995
8106 BOYSENBERRY DR. SANDY UT 84083

Received by Oil, Gas & Mining

FEB 18 1994

ASSIGNED PERMIT CHANGE NUMBER